

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ROBINA JENKINS,

Plaintiff,

v.

NANCY WORLEY, individually and in her
official capacity as Secretary of State,
State of Alabama; JOE DICKSON,
individually and in his official capacity as a
member of the State Personnel Board;

HENRY MCMILLAN, individually and in
his official capacity as a member of the
State Personnel Board; JOHN
MCMILLAN, individually and in his
official capacity as a member of the State
Personnel Board; HORACE W. POWELL,
SR., individually and in his official capacity
as a member of the State Personnel Board;
and JOYCE P. O'NEAL, individually and
in her official capacity as a member of the
State Personnel Board.

Defendants.

CIVIL ACTION
NO:2:05cv1049-C

**REPORT OF PARTIES' PLANNING
MEETING**

1. Pursuant to Fed.R.Civ.P 26(f), a meeting was held on April 5, 2007, by
telephone and was attended by:

A. Appearing on behalf of Plaintiff:

James Edward Wilson, Jr.
732 Carter Hill Road
Montgomery, Alabama 36106
(334) 314-0548

B. Appearing on behalf of Defendants:

Alice Ann Byrne
State Personnel Department
64 North Union Street

Room 316
Montgomery, Alabama 36104
(334) 242-3450

2. **Pre-Discovery Disclosure.** The parties will exchange by May 6, 2007, the information required by Fed.R.Civ.P. 26(a)(1).

3. **Discovery Plan.** The parties jointly propose to the Court the following discovery plan:

Discovery will be needed on the following subjects: The Plaintiff's allegations and the Defendant's defenses.

All discovery shall be commenced in time to be completed by **February 30, 2008.**

Interrogatories: Maximum of 25 Interrogatories by each party, including sub-parts, with responses due with 30 days after service.

Requests for Production: Maximum of 50 Requests for Production by each party, including sub-parts, with responses due within 30 days after service.

Requests for Admissions: Maximum of 15 Requests for Admission by each party to any other party, with responses due 30 days after service.

Depositions: Maximum of ten depositions by the Plaintiff and ten by the Defendant. Each deposition limited to a maximum of seven hours unless extended by agreement of parties.

Expert Witnesses: The parties shall comply with the following deadlines in regard to experts under Rule 26(a)(2):

Plaintiff's experts will be disclosed by **July 1, 2007.**
Plaintiff's experts' reports will be due by **August 2, 2007.**
Defendant's experts will be disclosed by **August 2, 2007.**
Defendant's experts' reports will be due by **September 1, 2007.**

Supplementations: Supplementations under Rule 26(e) due within 30 days of learning of the need to supplement, but, in no event, less than 30 days before the close of discovery.

4. Other Items.

A. The Plaintiff shall have until **June 1, 2007** to join any additional parties and to amend the pleadings.

B. The Defendant shall have until **June 30, 2007**, to join any additional parties and to amend the pleadings.

C. The parties do not request a conference with the Court before entry of the Scheduling Order.

D. The parties request a pretrial conference 30 days after a ruling on dispositive motions or 30 days after the deadline for filing dispositive motions, whichever is later.

E. All potentially dispositive motions must be filed by **December 15, 2007**.

F. Settlement cannot be evaluated before the completion of discovery.

G. Final lists of trial witnesses and exhibits under Rule 26(a)(3) should be due from the Plaintiff 30 days prior to trial and from the Defendant by 30 days prior to trial.

H. Parties should have ten days after service of final lists of witnesses and exhibits to list objections under Rule(a)(3).

I. The case should be ready for trial by April 2008. Trial is expected to last two days.

Respectfully submitted this 5th day of **April**, 2007.

/s/ James Edward Wilson, Jr.
JAMES EDWARD WILSON, JR.
Attorney for Plaintiff

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/s/ Alice Ann Byrne
ALICE ANN BYRNE
Attorney for Defendants

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